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October 20, 2014

Via Email

Senator Bradley M. Hamlett
P.O. Box 49
Cascade, Montana 59421-0049

RE: Concerns of Commonsense Citizens for CSKT Compact

Dear Mr. Hamlett:

On behalf of my clients, irrigators who live and farm within the boundaries of the Confederated Salish and Kootenai Reservation, I am sending this letter to follow up on my discussion with you last Wednesday in Polson.

As we discussed, we are asking you to make sure that WPIC requests that Duane Mecham, or somebody else who understands the issues, explains to WPIC how the Endangered Species Act ("ESA") may be implemented in the area impacted by the CSKT Compact and how the impact differs between a scenario with a Compact and without a Compact. I used to work in Washington State on issues related to tribal fishing rights and the Endangered Species Act. At one meeting, in which we were discussing the multiple layers of regulation and associated risks, one farmer told me he just wanted to commit suicide due to the complexity and stress. On behalf of my clients who live and farm within the CSKT Reservation boundaries, and other farmers and ranchers in Montana, please do not leave this issue unexplored and not fully understood.

Also, as you know, my clients are very concerned about the increased costs for Water Court adjudication if a Compact is not reached. Please ask the Water Court to provide WPIC with an understanding of how much more money and how many more years it would take to adjudicate water claims if the CSKT file their water claims. If the Water Court does not want to predict this cost, then please ask the Water Court to tell you how many claims it expects to adjudicate with the \$14.6 million the Court already requested for the next six years to complete 7 decrees.

Further, as you know, the \$14.6 million for the Water Court will not cover the necessary expenses for the DNRC to examine these claims. Therefore, we need an estimate from the DNRC of how much more money and time these additional claims will take to examine.

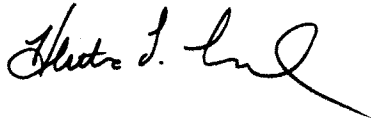
WATER POLICY INTERIM
COMMITTEE. 2013-14

October 29, 2014

Exhibit 21

Lastly, the Supreme Court provided rules for how regular water rights would be examined; however, the water rights that would be filed by the CSKT are reserved water rights. We would need to know from the Supreme Court whether the current rules would suffice or whether the Court would need to adopt new rules for claims examination of reserved water rights, which are very unique in their characteristics.

Sincerely,

A handwritten signature in black ink, appearing to read "Hertha L. Lund". The signature is fluid and cursive, with a long, sweeping tail on the last letter.

Hertha L. Lund
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cc. Clients
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